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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
CARROLL ET AL.

Art Unit: 1647
Examiner: SEHARASEYON,
JEGATHEESAN

APPLICATION NO: 09/813,329

FILED: MARCH 20, 2001

FOR: NOVEL DROSOPHILA TUMOR NECROSIS FACTOR CLASS
MOLECULE ("DMTNFv2") POLYNUCLEOTIDES AND
VARIANTS THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION PURSUANT TO 37 C.F.R. §1.132

Sir:

1. I, Pamela M. Carroll, Ph.D., am an applicant of the patent application Serial No. 09/813,329 identified above and co-inventor of the subject matter described and claimed in this patent application.

2. A true and accurate copy of my *curriculum vitae*, which evidences my expertise and credentials, is attached herewith and labeled **Exhibit A**.

3. I have performed an experiment, or directed or caused an experiment to be performed, to provide additional evidence that the claimed DmTNFv2 polynucleotides encode a polypeptide that represents a potent inducer of apoptosis. We and others have found that targeted overexpression of DmTNFv2 causes excessive cell death and ablation of tissue in the tissues in which DmTNFv2 is expressed.

Briefly, the pro-apoptotic activity of DmTNFv2 was demonstrated by comparing the eyes of transgenic flies that overexpress the DmTNFv2 polypeptide using a GAL4 eye-specific promoter, to transgenic flies containing the GAL4 construct alone. The GAL4 construct that was used for these